

**Notice of Allowability**

Application No.

09/837,904

Examiner

Samson B. Lemma

Applicant(s)

NARIN, ATTILA

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/07/2005.
2. ☒ The allowed claim(s) is/are 1-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

### ***DETAILED ACTION***

1. In response to the Office Action/ Restriction Requirement dated September 7, 2005, applicant has elected **the Group I claims (claims 1-24)** without traverse.
2. Applicant has also cancelled **Group II claims (claims 25-31)** without prejudice or disclaimer of the subject matter thereof, with reservations of all rights to file such claims in an appropriate continuing or divisional application.
3. **ALL independent Claims 1 and 16** have been amended.
4. **Dependent claims 4, 8 and 10** have also been amended.

### ***Allowable Subject Matter***

5. **Claims 1-24** are allowed.
6. The following is an examiner's statement of reasons for allowance:
7. With respect to **the independent claims 1 and 16** the art on the record, namely the combination of **Miller and Leach** discloses all of the limitation of the recited claims 1 and 16 before the claims were amended.  
  
However claim 1 is amended by the applicant and the following limitation was added to the respective independent claims, "the said first process comprising an executing trusted application and said second process created by and controlled by said first process, said second process comprising an executing untrusted application". Claims 16 is also amended and similar limitation has been added to the respective claim. As applicant persuasively argued the art on

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the record namely the combination of **Miller and Leach** does not disclose or suggest this particular added limitation of the respective claims.

Another relevant reference with Patent Number: 6,330,670 having the same Assignee (Microsoft) has also been considered since it discloses most of the limitations of the claims, however it does not disclose the particular limitation that **the second process executing untrusted application is created/started and controlled by the first process executing trusted application.**

None of the prior art of record taken singularly or in combination teaches or suggests a method/system of protecting data **with all the limitations recited in respective claims in combination with the functional limitation added after amendment. In other words the feature of having an auxiliary process/first process executing untrusted application started/created and controlled by the second process/closed process executing trusted application is found to be novel and cannot be derived by the combination of Miller and Leach.**

**It is verified that no new matter has been introduced and such features is actually disclosed in the application.**

For the reasons provided above, the amended independent claims **1 and 16** are allowed.

8. **The dependent claims 2-15 and 17-24, which are dependent on the independent claim 1 and 16** being further limiting to the independent claims, definite and enabled by the specification are also allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reasons for Allowance."

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### ***Conclusion***

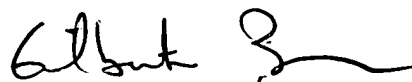
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am --4: 30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on at 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**SAMSON LEMMA**

**S.L.**  
**12/16/2005**



**GILBERTO BARRON JR.**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**